



Time limits for appealing to the Court of Appeal

There are prescribed time limits for filing an Appellant's Notice in the Court of Appeal. The time limits vary depending upon the type of appeal that is being brought.

In most cases the time limit is **21** days from the date the lower court made the decision being appealed (not the date of the sealed order). There are exceptions, however, and these are set out below.

Judicial review in the Administrative Court

Substantive judicial review dismissed at an oral hearing

When the Administrative Court dismisses a substantive judicial review, applicants may appeal that decision to the Court of Appeal. The time limit for doing so is **seven** days from the date of the decision being appealed (not the date of the sealed order).

Application for permission to apply for judicial review refused at an oral hearing

When the Administrative Court refuses permission to apply for judicial review at an oral hearing it is open to applicants to renew that application to the Court of Appeal. The time limit for doing so is **seven** days from the date of refusal of permission to apply for judicial review by the Administrative Court (not the date of the sealed order).

Application for permission to apply for judicial review refused on paper as totally without merit

When the Administrative Court refuses permission to apply for judicial review on the papers as totally without merit, it is open to applicants to renew that application to the Court of Appeal. The time limit for doing so is **seven** days from the date of service of the order refusing permission to apply for judicial review.

Application for permission to apply for judicial review of a decision of the Upper Tribunal

When the Administrative Court refuses permission to apply for judicial review of a decision of the Upper Tribunal on the papers, it is open to applicants to renew that application to the Court of Appeal. The time limit for doing so is **seven** days from the date of service of the order refusing permission to apply for judicial review.

Appeals from the Upper Tribunal

When the Upper Tribunal has determined a substantive appeal and the appellant wishes to appeal that decision to the Court of Appeal, an application must first be made to the Upper Tribunal for permission to appeal to the Court of Appeal. The time limit for appealing to the Court of Appeal is **28** days from the date on which notice of the Upper Tribunal's decision granting or refusing permission to appeal to the Court of Appeal *is sent* to the appellant.

Judicial review in the Upper Tribunal

Substantive judicial review dismissed at an oral hearing

When the Upper Tribunal has determined a substantive judicial review and the applicant wishes to appeal that decision to the Court of Appeal, the applicant must first apply to the Upper Tribunal for permission to appeal to the Court of Appeal. The time limit for appealing to the Court of Appeal is **28** days from the date on which notice of the Upper Tribunal's decision granting or refusing permission to appeal to the Court of Appeal *is sent* to the appellant.

Application for permission to apply for Judicial Review refused at an oral hearing

When permission to apply for judicial review has been refused by the Upper Tribunal at an oral hearing and the applicant wishes to appeal that decision to the Court of Appeal, the applicant must first apply to the Upper Tribunal for permission to appeal to the Court of Appeal. The time limit for appealing to the Court of Appeal is **28** days from the date on which notice of the Upper Tribunal's decision granting or refusing permission to appeal to the Court of Appeal *is sent* to the appellant.

Application for permission to apply for judicial review refused on paper as totally without merit

When permission to apply for judicial review has been refused by the Upper Tribunal on the papers as totally without merit and the applicant wishes to appeal that decision to the Court of Appeal, the applicant must first apply to the Upper Tribunal for permission to appeal to the Court of Appeal. The time limit for appealing to the Court of Appeal is **28** days from the date on which notice of the Upper Tribunal's decision granting or refusing permission to appeal to the Court of Appeal *is sent* to the appellant.

Appeals from the Employment Appeal Tribunal

If an application for permission to appeal to the Court of Appeal is refused by the Employment Appeal Tribunal (EAT) or is not made, then such an application must be made to the Court of Appeal within **21** days of the date of the sealed order of the EAT.

Appeals from the Competition Appeal Tribunal

Where an application for permission to appeal to the Court of Appeal is made at the hearing at which the decision is delivered by the tribunal, the time limit for appealing to the Court of Appeal is **14** days after the date of the hearing.

Where an application for permission to appeal to the Court of Appeal is made in writing to the Registrar of the tribunal, the time limit for appealing to the Court of Appeal is **14** days after the date of receipt of the tribunal's decision granting or refusing permission to appeal.

Where the applicant does not make an application to the tribunal for permission to appeal to the Court of Appeal, the time limit for appealing to the Court of Appeal is **14** days after the end of the period within which the applicant may make a written application to the Registrar of the tribunal.

Appeals from the Special Immigration Appeal Commission

An application for permission to appeal to the Court of Appeal must first be made to Special Immigration Appeal Commission (SIAC). The time limit for appealing to the Court of Appeal is within **21** days of the date on which SIAC's decision granting or refusing permission to appeal to the Court of Appeal is given.